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THE UNITED STATES DISTRICT COURT
Middle District of Pennsylvania
Harrisburg, PA

Yan SHAO

) No. 1:00 CV 1901
(JUDGE Rambo)

Plaintiff,

v.

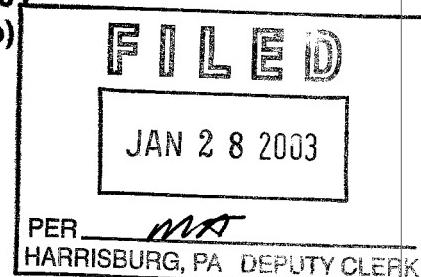
Edward Cuccia

Charles Day

John / Jane Doe

Law Offices of Ferro & Cuccia

Defendants.



CIVIL ACTION - LAW

PLAINTIFF'S MOTION THAT CHARLES DAY AND PAMELA DAY BE HELD IN CONTEMPT PURSUANT TO RULE 11 AND RULE 37 OF THE FEDERAL RULES OF CIVIL PROCEDURE, 28 U.S.C. § 1927, LOCAL RULE 83.23.1 AND THE POWERS INHERENT IN A DISTRICT COURT TO MANAGE THE COURT'S BUSINESS

MAY IT PLEASE THE COURT, the plaintiff moves the Court to find Charles Day and Pamela Day have acted contemptuously towards the Court and have injured the plaintiff by their misconduct. The plaintiff moves the court to impose sanctions upon them pursuant to violations of (1) Rule 11 and (2) Rule 37 of the Federal Rules of Civil Procedure, (3) 28 U.S.C.A. § 1927, (4) Local Rule 83.23.1 and (5) the powers inherent in a district court to manage the court's business.

Respectfully submitted,

Craig T. Trebilcock
Pa I.D. No. 48344
Associate Counsel for the Plaintiff
100 East Market
PO Box 15012
York, PA 17405-7012
717 846-8888

Richard B. Cook
Louisiana #21248
Counsel for the Plaintiff
17 Jonathan's Court
PO Box 411
Hunt Valley, MD
410 683 9469

LR 7.1 CERTIFICATE OF NONCONCURRENCE

Undersigned counsel for the plaintiff certifies that the preceding motions have been served upon Charles Day and upon Pamela Day but that no concurrence prior to their filing has been obtained. On January 15, 2003, the undersigned called Mr. Day at 212 274 8408 and confirmed this was his answering service. The undersigned left his number but no return call has been received. On January 23, 2003 an attorney, Harold Herman, called the undersigned and indicated that he represented Mr. Day in the interest of seeking a settlement of the plaintiff's claims, but not for purposes of representing either Charles Day or Pamela Day before this court.

Respectfully submitted,



Craig T. Trebilcock
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Associate Counsel for the Plaintiff
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CERTIFICATE OF SERVICE

Undersigned counsel certifies that on January 28, 2002, a copy of each of the appended motions has been served upon Charles Day and upon Pamela Day:

by personal delivery

by First Class Mail, postage pre-paid, to the following addresses:

Charles Day, Esq.
80-100 Tryon Place
Jamaica, NY 11432

Charles Day, Esq.
30 E. Broadway
New York, NY 10002

Pamela Day, Esq.
80-100 Tryon Place
Jamaica, NY 11432



Richard B. Cook